

STATEMENT UNDER 37 CFR 3.73(b)

Applicant/Patent Owner: Viotarg Pty LimitedApplication No./Patent No.: 10/539219 Filed/Issue Date: 17 June 2005Entitle: A method of treating a malignancy in a subject via direct picornaviral-mediated oncolysisViotarg Pty Limited

(Name of Assignee)

an Australian company ACN 097 910 793

(Assignee, eg., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title, and interest.
The extent (by, percentage) of its ownership interest is _____ %

in the patent application/patent identified above by virtue of either:

- A. ☒ an assignment from Inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

OR

- B. ☐ A chain of title from the Inventor(s), of the patent application/patent identified above, to the current assignee
As shown below:

1. From: _____ To: _____
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☐ Additional documents in the chain of title are listed on a supplemental sheet.

- ☒ Copies of assignments or other documents in the chain of title are attached.
[NOTE: A separate copy (ie., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

Viotarg Pty Limited

RJM MacDonald

Signature

RONALD JAMES MACDONALD

Printed or typed Name

CEO, TUNKA Ltd.

Title

6/12/2005

Date (Day Month Year)

61.2.49218782

Telephone Number

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application for to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

S&F REF: 686338US

DECLARATION FOR PATENT APPLICATION

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship is as stated below next to my name.

I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled **METHOD OF TREATING A MALIGNANCY IN A SUBJECT VIA DIRECT PICORNAVIRAL-MEDIATED ONCOLYSIS**, the specification of which

_____ is attached hereto.

X was filed on June 17, 2005 (with an International Application date of December 18, 2003) (Attorney Docket No. SPRUSON1100) as U.S. Application Serial No. 10/539,219 and was amended on _____ if applicable (the "Application").

I hereby authorize and request insertion of the application serial number of the Application when officially known.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability of the subject matter of the Application as defined in Title 37, Code of Federal Regulations ("C.F.R."), § 1.56.

With respect to the Application, I hereby claim the benefit under 35 U.S.C. Section 119(e) of any United States provisional application(s) listed below:

_____ (Application Serial No.)	_____ (Filing Date)
_____ (Application Serial No.)	_____ (Filing Date)

GT6459550.1
SPRUSON

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NO. SPRUSON1100

With respect to the Application, I hereby claim the benefit under 35 U.S.C. Section 120 of any United States application(s), or Section 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of the application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. Section 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability of the subject matter of the Application as defined in Title 37, C.F.R., Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of the Application:


<u>PCT/AU2003/001688</u>	<u>18 December 2003</u>	<u>Pending</u>
(Application Serial No.)	(Filing Date)	(Status) (patented, pending, abandoned)
<u> </u>	<u> </u>	<u> </u>
(Application Serial No.)	(Filing Date)	(Status) (patented, pending, abandoned)
<u> </u>	<u> </u>	<u> </u>
(Application Serial No.)	(Filing Date)	(Status) (patented, pending, abandoned)

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

COUNTRY	APPLICATION NO.	FILING DATE	PRIORITY CLAIMED	
<u>AU</u>	<u>2002953436</u>	<u>18 December 2002</u>	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
<u> </u>	<u> </u>	<u> </u>	<input type="checkbox"/> Yes	<input type="checkbox"/> No

ATTORNEY DOCKET
NO. SPRUSON1100

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first inventor: DARREN R. SHAPRENInventor's signature: Date: 20/11/05Residence: The Hill, New South Wales, AustraliaCitizenship: AUPost Office Address: 14 High Street
The Hill, New South Wales 2300 Australia

R018AFER

**UNITED STATES PATENT AND TRADEMARK OFFICE**UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

JANUARY 13, 2006

PTAS

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DLA PIPER RUDNICK GRAY CARY US LLP
SAN DIEGO, CA 92121-2133***500070834A***UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENTTHE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF
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RECORDATION DATE: 01/12/2006

REEL/FRAME: 017010/0771
NUMBER OF PAGES: 6BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).
DOCKET NUMBER: SPRUSON1100

ASSIGNOR:

SHAFREN, DARREN R.

DOC DATE: 11/20/2005

ASSIGNEE:

THE UNIVERSITY OF NEWCASTLE
RESEARCH ASSOCIATES LIMITED
IDC BUILDING, UNIVERSITY DRIVE
THE UNIVERSITY OF NEWCASTLE
CALLAGHAN, NEW SOUTH WALESAUSTRALIA
2300

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017010/0771 PAGE 2

SERIAL NUMBER: 10539219

FILING DATE:

PATENT NUMBER:

ISSUE DATE:

TITLE: METHOD OF TREATING A MALIGNANCY IN A SUBJECT VIA DIRECT
PICORNAVIRAL-MEDIATED ONCOLYSISTHERESA FREDERICK, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS

PATENT ASSIGNMENT

Electronic Version v1.1
Stylesheet Version v1.1

01/12/2006
500070834

SUBMISSION TYPE:	NEW ASSIGNMENT
NATURE OF CONVEYANCE:	ASSIGNMENT
CONVEYING PARTY DATA	
Name	Execution Date
Darren R. Shafren	11/20/2005
RECEIVING PARTY DATA	
Name:	The University of Newcastle Research Associates Limited
Street Address:	IDC Building, University Drive
Internal Address:	The University of Newcastle
City:	Callaghan, New South Wales
State/Country:	AUSTRALIA
Postal Code:	2300
PROPERTY NUMBERS Total: 1	
Property Type	Number
Application Number:	10539219
CORRESPONDENCE DATA	
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<i>Correspondence will be sent via US Mail when the fax attempt is unsuccessful.</i>	
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ATTORNEY DOCKET NUMBER:	SPRUSON1100
NAME OF SUBMITTER:	Lisa A. Haile, J.D., Ph.D.
Total Attachments: 4 source=SPRUSON1100 Assignment (Shafren to Newcastle)#page1.tif source=SPRUSON1100 Assignment (Shafren to Newcastle)#page2.tif	

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UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

JANUARY 13, 2006

PTAS

500070835A***500070835A***

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DLA PIPER RUDNICK GRAY CARY US LLP
SAN DIEGO, CA 92121-2133

UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

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RECORDATION DATE: 01/12/2006

REEL/FRAME: 017010/0777
NUMBER OF PAGES: 7

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).
DOCKET NUMBER: SPRUSON1100

ASSIGNOR:

THE UNIVERSITY OF NEWCASTLE
RESEARCH ASSOCIATES LIMITED

DOC DATE: 06/30/2004

ASSIGNEE:

VIROTARG PTY LIMITED
IDC BUILDING, UNIVERSITY DRIVE
THE UNIVERSITY OF NEWCASTLE
CALLAGHAN, NEW SOUTH WALES

AUSTRALIA
2308

017010/0777 PAGE 2

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PATENT ASSIGNMENT

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SUBMISSION TYPE:	NEW ASSIGNMENT
NATURE OF CONVEYANCE:	ASSIGNMENT
CONVEYING PARTY DATA	
Name	Execution Date
THE UNIVERSITY OF NEWCASTLE RESEARCH ASSOCIATES LIMITED	06/30/2004
RECEIVING PARTY DATA	
Name:	VIROTARG PTY LIMITED
Street Address:	IDC Building, University Drive
Internal Address:	The University of Newcastle
City:	Callaghan, New South Wales
State/Country:	AUSTRALIA
Postal Code:	2308
PROPERTY NUMBERS Total: 1	
Property Type	Number
Application Number:	10539219
CORRESPONDENCE DATA	
Fax Number:	(858)677-1465
<i>Correspondence will be sent via US Mail when the fax attempt is unsuccessful.</i>	
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ATTORNEY DOCKET NUMBER:	SPRUSON1100
NAME OF SUBMITTER:	Lisa A. Haile, J.D., Ph.D.
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